

APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office MAY 09 1995

Returned to applicant for correction _____

Corrected application filed _____

Map filed 23 Oct 86 under 50138The applicant Julian C. Smith Jr. & Joanna Smith8255 E. Lake Blvd.
Street and No. or P.O. Box No.Carson City
City or TownNevada 89704
State and Zip Code No.

_____, hereby make S application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.)

1. The source of the proposed appropriation is Underground
Name of stream, lake, spring, underground or other source

2. The amount of water applied for is 0.08 CFS or 2.0 AF/year second-feet
One second-foot equals 448.83 gals. per min.

(a) If stored in reservoir give number of acre-feet _____

3. The water to be used for stockwater
Irrigation, power, mining, manufacturing, domestic, or other use. Must limit to one use.

4. If use is for:

(a) Irrigation, state number of acres to be irrigated _____

(b) Stockwater, state number and kinds of animals to be watered 50 sheep, 10 horses, & 50 cows

(c) Other use (describe fully under No. 12. "Remarks") _____

(d) Power:

(1) Horsepower developed _____

(2) Point of return of water to stream _____

5. The water is to be diverted from its source at the following point within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 25 T.16N., R.19E., MDB&M or at a point which bears S80°43' E a distance of 2140.0' to the S $\frac{1}{4}$ survey, and by course and distance to a section corner. If on unsurveyed land, it should be so stated.
Cor. of Section 25, T.16N, R19E. MDB&M.

6. Place of use 29.4 acres within the SW $\frac{1}{4}$ of Section 25 and the NW $\frac{1}{4}$ of Section 36,
Describe by legal subdivision. If on unsurveyed land, it should be so stated.
T.16N, R.19E., MDB&M.

7. Use will begin about January 1 and end about December 31, of each year.
Month and Day Month and Day

8. Description of proposed works: (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) 8" well x 250' deep, submersible pump and motor, distribution lines, and stock tanks
State manner in which water is to be diverted, i.e. diversion structure, ditches and flumes, drilled well with pump and motor, etc.

9. Estimated cost of works \$20,000
10. Estimated time required to construct works completed
If well completed, describe works.
11. Estimated time required to complete the application of water to beneficial use 1 year
12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:
- Please use map on file under permit 50138 for description of the POD and POU.
- See additional remarks on enclosed page.

By s/Chris C. Mahannah
Chris C. Mahannah, Agent
P.O. Box 9066
Reno, NV 89507

Compared sm/jk dl/cms

Protested _____

APPROVAL
OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to all existing rights on the source. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the period of use and the average number of livestock served from the waters of this source. It is further understood that this right must allow for a reasonable lowering of the static water level at permittee's well due to any other ground water development in the area. The well shall be equipped with a 2-inch opening for measuring depth to water. If well is flowing, a valve must be installed and maintained to prevent waste. The State retains the right to regulate the use of the water herein granted at any and all times but does not take responsibility for the use of the Federal range.

(CONTINUED ON PAGE 2)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.0022 cubic feet per second, or sufficient to water 60 head of horses or cows and 50 head of sheep.

Work must be prosecuted with reasonable diligence and be completed on or before N/A

Proof of completion of work shall be filed before N/A

Application of water to beneficial use shall be filed on or before April 7, 2000

Proof of the application of water to beneficial use shall be filed on or before May 7, 2000

Map in support of proof of beneficial use shall be filed on or before N/A

Completion of work filed N/A

Proof of beneficial use filed MAY 05 2000

Cultural map filed _____

Certificate No. 15488 Issued JUL 20 2000

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.
State Engineer of Nevada, have hereunto set my hand and the seal of my
office, this 7th day of April,

A.D. 1999

Christine Thiel
State Engineer

by Christine Thiel, Deputy State Engineer

(PERMIT TERMS CONTINUED)

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

12. Remarks continued:

The applicant has an existing underground permit 50138 for irrigation and domestic for 0.75 cfs or 1.17.60 acre-feet/year appurtenant to the 29.4 acre place of use. The well under 50138 was re-drilled approximately 100 feet north of the original well due to lack of production adequate to irrigate the 29.4 acre place of use. The applicant wishes to retain the use of this original well for stockwater purposes for the following reasons:

1. The reduced capacity of the original well is approximately 35 gpm, whereas the capacity of the new well is approximately 250 gpm which makes the original well more practical for stockwatering.
2. The use of a smaller single phase motor and submersible pump in the original well would be more economical for pumping the small flows required for stockwater rather than using the new well which is equipped with a 25-HP three phase motor and submersible pump.
3. The increased cost of power during the non-irrigation season for three phase power would make the new well prohibitive for stockwatering.

The applicant currently has 27.91 acres under cultivation out of the total 29.4 acres shown on the place of use under permit 50138 which would leave 5.96 acre-feet. $((29.4 - 27.91 \text{ AC}) \times 4.0 \text{ AF/AC})$ available for a change application or would return to the source. The applicant has considered filing a change application on this remaining water for stock purposes but this would delay the filing the PBU on 50138 until the change application is approved. Since the date for filing the PBU on 50138 has been extended seven (7) times, the applicant has elected to file the PBU now rather than file for another extension such that a change application can be made. Instead the applicant is making this new application for 0.08 cfs or approximately 2.0 acre-feet per year for stockwater from the original well which still leaves 3.96 acre feet $(5.96 - 2.0)$ returning to the source from the unused portion of permit 50138. The requested diversion rate of 0.08 cfs is a maximum based upon the current submersible pump installed and the average annual diversion rate would approximate 0.0028 cfs.

The applicant requests that you consider the above circumstances in reviewing this new application as it is not simply a new application seeking to appropriate water over and above what has already been permitted. If any questions should arise or further clarification is desired, please do not hesitate in contacting either the agent or the applicant.

